REMARKS

Status of the Application

Claims 33-46 were previously pending. Claim 44 was objected to for informalities. Claims 33-35, 36-42, 44 and 46 were rejected both under 35 USC 112, second paragraph. Claims 33, 35, 40-41 and 45-46 were rejected under 35 USC 102(b) as being anticipated by Lemelson et al. (US 6,400,835). Claims 34 and 44 were rejected under 35 USC 103(a) as being unpatentable over Lemelson in view of Goldberg et al. (US 2004/0008872). Claims 36 and 38 were rejected under 35 USC 103(a) as being unpatentable over Lemelson in view of Breed et al. (US 7,049,945). Claims 37 and 42 were rejected under 35 USC 103(a) as being unpatentable over Lemelson. Claim 39 was rejected under 35 USC 103(a) as being unpatentable over Lemelson in view of Shanmugham (US 6,630,884). Claim 43 was rejected under 35 USC 103(a) as being unpatentable over Lemelson in view of Applicant Admitted prior Art (AAPA). The specification was objected to for not capitalizing the trademarks on pages 52-54.

Applicant has amended claims 33, 36, 38-42, and 45-46, canceled claims 34, 37, and 44, and added new claims 47-50. Applicant has also amended specification to address the objection. No new matter adds through the amendments. For the reasons discussed below, withdrawal of the rejections is requested.

Specifications

The specification was objected to for not capitalizing the trademarks on pages 52-54. Applicant has amended the specification to capitalize the trademarks.

Withdrawal of the objection is requested.

Claim Objections

Claim 44 was objected to for informalities.

Applicant has canceled claim 44. The objection is now moot.

Claim Rejections- 35 U.S.C. 112, Second Paragraph

Claims 33-35, 36-42, 44 and 46 were rejected both under 35 USC 112, second paragraph.

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Applicant has carefully reviewed and amended claims 33, 36, 38-42 and 46, and canceled claims 34, 37, and 44. It is believed the amendments made to the claims overcome the rejections.

Withdrawal of the rejection is requested.

Claim Rejections- 35 U.S.C. 102(b)

Claims 33, 35, 40-41 and 45-46 were rejected under 35 USC 102(b) as being anticipated by Lemelson et al. (US 6,400,835).

Applicant has amended independent claims 33 and 41.

Claim 33 as amended reads as follow:

An automobile alarm system comprising an alarming and monitoring sensor, a communication module, a pickup, a CPU module, and a camera device, characterized in that:

the camera device comprises a visible light camera device, an infrared camera device, and *a thermo-luminous electric infrared camera device, wherein the thermo-luminous electric infrared camera device receives the radiation emitted from the object to be monitored;*

the CPU module receives images captured with the camera device, and runs a face identification system which includes a facial characteristics identification program, a biological characteristics identification program and a biological characteristics identification database, *wherein the facial characteristics identification program includes a facemask identification subprogram, a facial ornaments identification subprogram, a face tilt identification subprogram, and a facial unusual expression identification subprogram.*

Lemelson does not teach or suggest the above emphasized features of claim 33. Lemelson teaches a movable-vehicle security system which includes a facial recognition system. However, Lemelson's movable-vehicle security system does not include a thermo-luminous electric infrared camera device which receives the radiation emitted from the object to be monitored as required by claim 33. Lemelson also fails to teach teaches that the facial characteristics identification program includes a facemask identification subprogram, a facial ornaments identification subprogram, a face tilt identification subprogram, and a facial unusual expression identification subprogram as required by claim 33.

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Claim 42 as amended reads as:

A burglar alarming method for an automobile vehicle comprising:

verifying the location where a person attempts to enter the vehicle by taking an image of the person;

sending the image to a CPU module;

verifying whether or not the person is a legal driver of the vehicle by using a facial characteristics identification program and a specially designated facial characteristics database, *wherein the facial characteristics identification program includes a facemask identification subprogram, a facial ornaments identification subprogram, a face tilt identification subprogram, and a facial unusual expression identification subprogram*;

if the person is found as an illegal driver, starting an alarm and communication program to collect the data on face image of the person who has entered the vehicle or images and information in the vehicle captured by a camera device, after packing or non-packing the image data according to each packing protocol for the image transmission, and then transmitting the face image of the person, the images and information in the vehicle and voice data to a preset remote monitor and control center for alarming;

starting a burglar and anti-robbing control system program and implementing commands sent from the vehicle or preset burglar and anti-robbing measures to carry out vehicle burglar and anti-robbing control.

As discussed above, Lemelson fails to teach teaches that the facial characteristics identification program includes a facemask identification subprogram, a facial ornaments identification subprogram, a face tilt identification subprogram, and a facial unusual expression identification subprogram as required by claim 41.

For at least the above reasons, Lemelson cannot anticipate claims 33 and 41.

Claims 35, 36, 38-42, and 46 depend on claims 33 and 41 respectively, and therefore are not anticipated for at least the same reasons. In addition, these dependent claims contain features that further distinguish over Lemelson.

Withdrawal of the rejections is requested.

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Claim Rejections- 35 U.S.C. 103(a)

Claims 34 and 44 were rejected under 35 USC 103(a) as being unpatentable over Lemelson in view of Goldberg et al. (US 2004/0008872).

Claims 34 and 44 are canceled.

Goldberg was cited to teach facial ornament identification. However, Goldberg cannot cure other deficiencies of Lemelson as discussed above. Therefore, claims 33 and 41 are patentable over Lemelson and Gldberg.

Claims 36 and 38 were rejected under 35 USC 103(a) as being unpatentable over Lemelson in view of Breed et al. (US 7,049,945).

Breed was cited to teach a plurality of cameras inside and outside the vehicle. However, Breed cannot cure other deficiencies of Lemelson as discussed above. Therefore, claims 33 and its dependent claims 36 and 38 are patentable over Lemelson and Breed.

Claims 37 and 42 were rejected under 35 USC 103(a) as being unpatentable over Lemelson.

Claim 37 is canceled. Claim 42 has been amended.

Claim 42 as amended reads as:

A facial identification method for detecting whether or not a person wears a mask comprising:

providing a visible light camera device, an infrared camera device, and a thermo-luminous infrared camera device, wherein the thermo-luminous infrared camera device receives the radiation emitted from the person to be identified;

taking an image of the person to be identified with the visible light camera device, the infrared camera device, and the thermo-luminous infrared camera device, respectively;

comparing the images of the person taken with the visible light camera device, the infrared camera device, and the thermo-luminous infrared camera device, so as to determine whether the person wears a mask that transmits infrared light, but not visible light, or that transmits neither infrared light nor visible light by using a facial characteristics identification program, a biological characteristics identification program and a biological characteristics identification database,

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wherein the facial characteristics identification program includes a facemask identification subprogram, a facial ornaments identification subprogram, a face tilt identification subprogram, and a facial unusual expression identification subprogram.

As discussed above in connection with claim 33, Lemelson does not teach the above emphasized features of claim 42. Therefore, claim 42 is patentable over Lemelson.

Claim 39 was rejected under 35 USC 103(a) as being unpatentable over Lemelson in view of Shanmugham (US 6,630,884).

Shanmugham was cited to teach a surveillance system for vehicle that captures visual or audio data. However, Shanmugham cannot cure the deficiencies of Lemelson as discussed above. Therefore, claim 33 and its dependent claim 39 are patentable over Lemelson and Shanmugham.

Claim 43 was rejected under 35 USC 103(a) as being unpatentable over Lemelson in view of Applicant Admitted prior Art (AAPA).

However, AAPA cannot cure the deficiencies of Lemelson as discussed above. Therefore, claim 33 and its dependent claim 39 are patentable over Lemelson and AAPA.
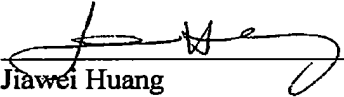
Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the remaining claims are now in condition for allowance. Allowance of this application is earnestly solicited.

Respectively submitted
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